1st Sub. S.B. 47
LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES REVISIONS

SENATE FLOOR AMENDMENTS   AMENDMENT 2   FEBRUARY 21, 2008   4:50 PM

Senator **Dennis E. Stowell** proposes the following amendments:

1. *Page 3, Lines 79 through 80:*

    79   Other Special Clauses:

    80   { ~~None~~ }   **This bill coordinates with H.B. 77, Personal Property Tax Amendments, by providing technical amendments.**

2. *Page 18, Line 523:*

    523   (3) obtain an easement or right-of-way across public or private property to   { ~~insure~~ }   **ensure**

3. *Page 25, Line 746:*

    746   accomplishment of the purposes of this   { ~~act~~ }   **chapter** .

4. *Page 27, Lines 818 through 819:*

    818   investments within the state   { ~~of Utah~~ }   or such county or municipality, so long as it locates within

    819   the state   { ~~of Utah~~ }   or such county or municipality its headquarters where its actual investment

5. *Page 27, Line 821:*

    821   of its investments in companies located outside the state   { ~~of Utah~~ }   to an amount which in the

6. *Page 27, Line 823:*

    823   located outside the state   { ~~of Utah~~ }   in companies headquartered in Utah which the locally

7. *Page 27, Line 825:*

    825   attention of investors outside the state   { ~~of Utah~~ }   . For purposes of enabling an offering of bonds

8. *Page 34, Line 1029:*

    1029   to receive ad valorem property taxes, existing under the laws of the state   { ~~of Utah~~ }   .

9. *Page 59, Line 1797:*

    1797   (3) obtain an easement or right-of-way across public or private property to   { ~~insure~~ }   **ensure**

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10. *Page 89, Line 2738:*

2738   municipalities within the district is even;   **and**

11. *Page 93, Lines 2852 through 2865*
   Senate Committee Amendments
   2-18-2008:

2852   (1) (a)   {~~Ŝ➜ (i) ←Ŝ~~}   An improvement district that provides electric service as authorized under

2853   Subsection 17B-2a-403(1)(a)(iv) Ŝ➜   {~~†~~}   **:**

2854   **(i)** {~~†~~}   ←Ŝ is a public utility and subject to the jurisdiction of the Public Service

2855   Commission Ŝ➜   {~~‡‡~~}   **.****l:** {~~†~~}   {~~.~~}   ←Ŝ

2856   (ii)   {~~Ŝ➜ An improvement district that was created before May 5, 2008, to provide~~

2856a   ~~electric service:~~

2856b   ——— ~~(A) ←Ŝ~~}   may include only an area where:

2857   Ŝ➜   {~~†~~} **(A)** {~~†~~}   {~~Ɨ~~}   ←Ŝ no retail electricity has been provided to commercial, industrial,

    residential, and

2858   other users of electricity from an investor-owned utility within any part of an area certificated

2859   by the Public Service Commission or an area adjacent to that area, municipal agency, or

2860   electric cooperative within the five years immediately preceding September 1, 1985; and

2861   Ŝ➜   {~~†~~} **(B)** {~~†~~}   {~~Ɨɪ~~}   ←Ŝ electric service is provided to at least one user of electricity within

    the electric

2862   service district as of September 1, 1985; and

2863   Ŝ➜   {~~†~~} **(iii)** {~~†~~}   {~~B~~}   ←Ŝ shall have filed an application for certification and received

    approval by the Public

2864   Service Commission by September 1, 1986.

2864a   {~~Ŝ➜ (iii) An improvement district created on or after May 5, 2008 to provide electric service~~

2864b   ~~may not include an area within:~~

2864c   ——— ~~(A) the certificated service area of:~~

2864d   ——— ~~(I) an investor-owned electric utility; or~~

2864e   ——— ~~(II) an electric cooperative; or~~

2864f   ——— ~~(B) the service area of a municipality that provides electric service. ←Ŝ~~}

2865   (b) Nothing in this part may be construed to give the Public Service Commission

12. *Page 139, Line 4275:*

4275   acquisition or construction of the project is completed;   **and**

13. *Page 139, Line 4294:*

4294   Subsection   {~~(2)~~}   **(1)**   (a)(i)(A); and

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14. *Page 141, Line 4338:*

   4338   local entity   {:}   :

15. *Page 145, Line 4481:*

   4481   (1) the local building authority   {:}   :

16. *Page 146, Line 4506:*

   4506   Subsection 17D-1-601(1) or a notice under   { Section }   Subsection   17D-1-601(2), any person in interest may

17. *Page 147, Line 4528:*

   4528   (b) the local building authority has made provision for the payment   ,   when due   ,   of all

18. *Page 250, Line 7717:*

   7717   Section 17A-3-1306, Existing powers with respect to historic areas not limited.
             Section 169. Coordinating S.B. 47 with H.B. 77 -- Technical amendments.
             If this S.B. 47 and H.B. 77, Personal Property Tax Amendments both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, modify Subsection 59-2-924.2(5) in H.B. 77 to read:
             "(5)(a) This Subsection (5) applies to each county that:
             (i) establishes a countywide special service district under Title 17D, Chapter 1, Special Service District Act, to provide jail service, as provided in Subsection 17D-1-201(10); and
             (ii) levies a property tax on behalf of the special service district under Section 17D-1-105.
             (b)(i) The certified tax rate of each county to which this Subsection (5) applies shall be decreased by the amount necessary to reduce county revenues by the same amount of revenues that will be generated by the property tax imposed on behalf of the special service district.
             (ii) Each decrease under Subsection (5)(b)(i) shall occur contemporaneously with the levy on behalf of the special service district under Section 17D-1-105."